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10/039799

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**To:** Art Unit 1654  
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**Total Pages**  
**Including Cover:** 4

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**From:** Matias Ferrario  
CASTELLANO MALM FERRARIO & BUCK PLLC  
**Sender's Phone:** (202) 478-5300  
**Date:** October 1, 2004  
**Client Number:** 0709.018.0002

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**Comments:**

46851

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PTO/SB/21 (08-04)

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TRANSMITTAL  
FORM

(To be used for all correspondence after initial filing)

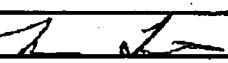
Total Number of Pages in This Submission

Application Number	10/039,799
Filing Date	January 4, 2002
First Named Inventor	J. Bruce Pitner
Art Unit	1654
Examiner Name	Tellor, R
Total Number of Pages in This Submission	3
Attorney Docket Number	0709.018.0002

## ENCLOSURES (Check all that apply)

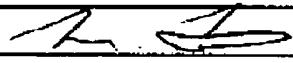
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks: Power of Attorney and Correspondence Address Indication Form (1 page) Statement under 37 CFR 3.73(b) (1 page)		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Castellano Malm Ferrario & Buck PLLC		
Signature			
Printed name	Matias Ferrario		
Date	10.1.04	Reg. No.	51,082

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Typed or printed name	Matias Ferrario; Reg. No. 51,082	Date	10.1.04

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PTO/SB/81 (06-04)

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/039,799
Filing Date	January 4, 2002
First Named Inventor	J. Bruce Pitner
Title	Binding Protein as Biosensors
Art Unit	1654
Examiner Name	Teller, R
Attorney Docket Number	0709 018.0002

I hereby appoint:

Practitioners associated with the Customer Number:

46851

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Practitioner(s) named below:

Name	Registration Number

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I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/90)

**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	5 Sept 27, 2004
Name	David W Hight	Telephone	201-847-6317
Title and Company	Vice President and Chief IP Counsel, Becton, Dickinson and Company		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of \_\_\_\_\_ forms are submitted.

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PTO/SB/96 (06-04)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: James B. PitnerApplication No./Patent No.: 10/038,789 Filed/Issue Date: January 4, 2002Entitled: Binding Protein as BiosensorsAssignee: Becton, Dickinson and Company, a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or2.  an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012835, Frame 0546, or for which a copy thereof is attached.**OR**

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.2. From: \_\_\_\_\_ To: \_\_\_\_\_  
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[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Sept. 27, 2004

Signature

Date

David W. Hight

201-847-6317

Printed or Typed Name

Telephone Number

Assistant Secretary

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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